

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

UNITED SOVEREIGN AMERICANS, INC.,
BERNARD JOHNSON, AND CITIZENS
DEFENDING FREEDOM

Plaintiffs,

v.

JANE NELSON, in her official capacity as the
Secretary of State of Texas, KEN PAXTON, in his
official capacity as the Attorney General of Texas, and
MERRICK GARLAND, in his official capacity as
Attorney General of the United States

Defendants,

Case No. 2:24-cv-00184

**APPENDIX IN SUPPORT OF PROPOSED INTERVENOR-DEFENDANTS' MOTION
FOR INTERVENTION AND BRIEF IN SUPPORT OF MOTION FOR INTERVENTION**

Proposed Intervenor-Defendants Texas State Conference of the NAACP and the League
of Women Voters of Texas file this Appendix in Support of their Motion for Intervention and
Brief in Support of the Motion for Intervention. Declarations filed in support are listed below in
the Appendix Index.

APPENDIX INDEX

Exhibit No.	Description	App. Range
1	Declaration of Casey Thomas, Oct. 3, 2024	1–7
2	Declaration of Joyce LeBombard,	8–13

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was filed via the Court's CM/ECF system on October 9, 2024, which will serve all counsel of record.

Dated: October 9, 2024

Respectfully submitted,

/s/ Thomas M. Melsheimer _____

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NAACP and the League of Women Voters of Texas*

EXHIBIT 1

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DECLARATION OF CASEY THOMAS

1. My name is Casey Thomas. I am over 18 years of age and am competent to make this declaration.

2. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.

3. I am the 1st Vice President of the Texas State Conference of the NAACP Branches (“Texas NAACP”). I have held this title since October 2023.

4. I am also the State Political Action Chair of the Texas NAACP. I have held this position since 2022.

5. I have held other positions within the Texas NAACP, including President of the Dallas Branch from approximately 2007 to 2009.

6. In total, I have been a member of the NAACP for approximately 30 years.

7. I served as an elected member of the Dallas City Council for District 3 from 2015 to 2023. During this time, I was elected as Mayor Pro Tem by my peers in 2018.

8. While on the City Council, I led the effort to establish the Community Police Oversight Board. I also served as Chair of the Workforce, Education, and Equity Committee and helped develop a racial equity plan for the city.

9. In my personal capacity, I started a group called “Our Vote is Our Voice: Can You Hear Us Now?” This group conducts non-partisan voter education, civic engagement, and voter registration activities.

10. The Texas NAACP is a subsidiary organization of the National Association for the Advancement of Colored People, Inc. (“NAACP”), a national non-profit, non-partisan organization founded in 1909. The first Texas branches of the NAACP were formed in 1915, and the Texas State Conference was formally organized in 1937. The Texas NAACP is the oldest and one of the largest and most significant organizations promoting and protecting the civil rights of persons of color in Texas.

11. The Texas NAACP’s mission is to secure the political, educational, social, and economic equality of rights in order to eliminate race-based discrimination and ensure the health and well-being of all persons. To achieve its mission, the Texas NAACP, among its many activities seeking to advance its missions, engages in voter education and registration and other civic engagement activities. These activities are central to the Texas NAACP’s mission.

12. The Texas NAACP is headquartered in Austin and has nearly 100 units and members spread over numerous counties across the State, as well as members in almost every Texas county. A large portion of the organization’s more than 10,000 members are Texas residents who are registered to vote in Texas. The Texas NAACP’s membership is multi-racial but consists

largely of African Americans, and it considers its constituents and supporters to be people of color and/or members of other underrepresented and vulnerable populations, such as those with disabilities.

13. In 2022, the Texas NAACP established a statewide coalition of non-partisan social service organizations called the Texas Voter Initiative. The Texas NAACP works as part of this coalition to register voters, monitor voter purges, and host candidate forums to educate voters about candidates for local office.

14. For the 2024 Primary Elections, the Texas NAACP held get-out-the-vote events, registered prospective voters, and advised their members and their broader constituents to check their voter registration.

15. The Texas NAACP has started ramping up its activities for the 2024 General Elections. For this election cycle, the Texas NAACP has been registering voters through members who are Voting Deputy Registrars in a variety of ways, including by setting up voter registration tables at local events like high school football games. At these and similar events, the Texas NAACP also encourages voters to check their voter registration status.

16. For the 2024 General Election, the Texas NAACP also plans to conduct non-partisan door-to-door canvassing and virtual phone banking to get out the vote. The Texas NAACP also organizes its members to take voters who need transportation to the polls to vote.

17. The Texas NAACP conducts these and other activities across the state of Texas, from rural areas to suburbs and cities.

18. At this time, the Texas NAACP has members who are registered to vote across Texas, including in the 19th Congressional District, and who plan to cast ballots in the upcoming November 5, 2024, General Election.

19. I am aware, through my counsel, that the Complaint filed by Plaintiffs United Sovereign Americans, Bernard Johnson, and Citizens Defending Freedom asks this court to, among other things, require Defendants to correct alleged errors in the 2022 voter rolls and to prevent them from occurring in 2024 or future elections, which could include removing eligible voters from the rolls because of ministerial errors in their registration records or other reasons.

20. I am aware, through my counsel, that this Complaint asks this court to prevent certification of the 2024 election until defendants demonstrate that election was conducted in conformance with state and federal law, including the National Voter Registration Act (“NVRA”) and Help America Vote Act (“HAVA”).

21. This is extremely concerning to me as we are so close to the General Election. If the relief Plaintiffs seek is granted, then I worry that thousands of voters who thought that they were properly registered to vote will find themselves kicked off the voter rolls through no fault of their own.

22. I am very concerned that the Texas NAACP’s members and constituents are likely to find themselves among the eligible registered voters who are at risk of being removed from the rolls or having their registrations impacted by Plaintiffs’ request to “correct” alleged errors in registrations. If they are removed from the rolls or otherwise have their registrations questioned, then they may not be able to vote in the General Election, especially as it may be too late for them to register to vote given that the voter registration deadline is on October 7, 2024.

23. I am also deeply concerned that delay or denial of election certification would disenfranchise voters, including Texas NAACP members and the communities we serve. This would be a denial of the right to vote, which is at the core of the Texas NAACP’s mission.

24. At minimum, I am concerned that Plaintiffs' request to deny certification would mean that Texas NAACP members and their communities would be forced to cast a ballot without any certainty that it will be counted.

25. Based on my experience in the NAACP, I am aware that Black voters and other voters of color in Texas are often disproportionately affected by voter suppression. I am concerned that Plaintiffs' request for the delay or denial of certification could be used to deny certification in counties with large numbers of voters of color, meaning their votes wouldn't count.

26. Plaintiffs' requests frustrate the Texas NAACP's mission. We have worked hard to register prospective voters, educate them, and now are planning to mobilize them to polls. Any last-minute purge of voters or threats to the certification of elections will undo all the hard work that we've done.

27. We also have limited staff and volunteer resources to troubleshoot any issues that arise if Texas implements any changes in voter registration records so close to the election. Our staff time was dedicated to registering, educating, and activating voters for the upcoming general election. But now, we would have to follow-up with all impacted voters. If Plaintiffs in this case get what they are asking for, we would have to re-double our efforts to track down the affected voters and make sure they can register in time for the 2024 General Election, or any future election.

28. For voters who have their existing registrations canceled and are unable to re-register before the October 7 deadline, the Texas NAACP would need to work to educate those individuals about the process for challenging the cancelation of a registration under Texas law.

29. These tasks would be challenging and resource-intensive, especially in our marginalized constituencies. Those vulnerable voters have less time and resources to fight against an improper purge of their registrations. To that end, the Texas NAACP's resources will be

stretched thin. We will not be able to conduct the same amount of affirmative voter engagement and registration activity in support of our core organizational functions as we normally would, because we would be focused on making sure those who were already registered can get back on the rolls.

30. Our work relating to other initiatives in the economic justice, education, healthcare, civil justice, and criminal justice spaces, as well as work on local issues, would also suffer as we would not have time to push that forward.

Executed this 3rd day of October 2024 in Dallas, Texas.



Casey Thomas
1st Vice President
Political Action Chair
Texas State Conference of the NAACP

EXHIBIT 2

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DECLARATION OF JOYCE LEBOMBARD

Pursuant to 28 U.S.C. § 1746, I, Joyce LeBombard, declare as follows:

1. I am the President of the League of Women Voters of Texas (“LWVTX” or “the League”). I have served in this role since June 2022. This is an unpaid, volunteer position to which I devote an average of 30 hours a week. I am also a member of my local League, the League of Women Voters Austin Area. I have been a member of the League since February 2017. I also served the Austin Area League as VP of Voters Service, and then as President and interim Communications & Technology Director. I am also a resident and registered voter in Travis County.
2. I am over 18 years of age, and I am competent to make this declaration.
3. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.
4. LWVTX is a non-partisan, non-profit, grassroots, membership organization dedicated to empowering voters and defending democracy. LWVTX strives for a democracy where every person has the desire, the right, the knowledge, and the confidence to participate in the democratic process. LWVTX is a state affiliate of the national League of Women Voters.
5. LWVTX’s main office is in Austin, Texas. LWVTX has approximately 3,000 members and between approximately 30 and 35 local Leagues covering roughly 39 counties across Texas. The League also serves voters statewide, even outside of these areas. Each local League is a member of the state League.
6. LWVTX members pay annual dues, a portion of which are paid to LWVTX from local Leagues in the form of per member payments. These funds are used to fund a portion of LWVTX’s activities.

7. LWVTX and its local Leagues actively work to register eligible people to vote and help ensure that registered voters cast a ballot that counts. Around the time of an election, LWVTX members or volunteers interact with voters directly, for example, in get out the vote (“GOTV”) events, candidate forums, tabling for voter registration, and by canvassing or “door knocking.” Depending on the election, LWVTX informs voters statewide about the voting process, voter registration, receiving assistance, and applying for absentee ballots. In doing so, LWVTX operates across Texas, registering and helping thousands of voters every year.

8. Additionally, numerous LWVTX members serve as election workers in each major election in the State. LWVTX members also regularly serve as assistants to voters.

9. LWVTX expends significant resources in furtherance of its voting-related mission, including by organizing voter registration drives, educating the public about the voting process, encouraging them to confirm their registration status ahead of the upcoming election, mailing thousands of postcards to Texans to vote, and assisting voters who have questions or need help navigating the voting process—including voters who are the subject of registration challenges. LWVTX intends to continue its outreach and voter education work throughout the 2024 election cycle and beyond.

10. LWVTX and local Leagues also organize voter registration drives following naturalization ceremonies for naturalized citizens, including in but not limited to the Dallas, Houston, Austin, and San Antonio areas.

11. I am aware through my attorneys that Plaintiffs have filed litigation, seeking, among other things, a mandamus order that there were hundreds of thousands of apparent errors in Texas’ voter registration rolls in the 2022 General Election, and an order that Texas may not certify the results of the 2024 General Election.

12. I also understand that Plaintiffs are asking the Court to order Texas to submit voter registration requests to the U.S. Department of Homeland Security for the purpose of removing potentially thousands of eligible voters from the Texas voter rolls ahead of the November 5, 2024 general election.

13. I am concerned that Plaintiffs' litigation, if successful, risks potentially disenfranchising League members across Texas, and could result in the disenfranchisement of thousands of eligible voters across the state.

14. I am concerned that a legal ruling that the NVRA's prohibition against list maintenance within 90-days of a federal election does not apply to certain third-party challenges would invite chaos into the voting process where clear bounds have previously existed. I am also concerned that it would undermine voters' confidence in being registered and able to participate in the voting process, thus impacting their willingness to vote in future elections and undermining one of LWVTX's organizational goals.

15. If Plaintiffs are successful, in addition to harming LWVTX's members, LWVTX would also need to divert extensive resources, including significant volunteer time, during an incredibly busy pre-election season to, among other things, identify affected LWVTX members or other Texans who are eligible to vote, look up whether they are subject to a voter roll purge, and assist them in re-registering before the voter registration deadline or follow up to help them determine whether they have any other recourse prior to Election Day.

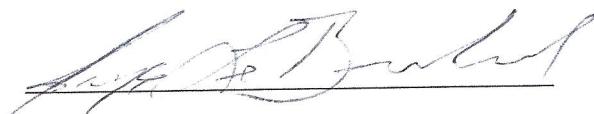
16. LWVTX would also need to prepare materials such as PowerPoint presentations and host meetings explaining the impact of a legal ruling and advising members and other voters how to navigate changes to election administration and voting in Texas. In addition, LWVTX would need to spend a significant amount of time answering questions from local Leagues about how to

navigate changes flowing from a legal ruling in favor of Plaintiffs and how to ensure eligible voters are able to register and cast their vote in elections.

17. Because of LWVTX's limited resources, this resource diversion to respond to a legal ruling in favor of Plaintiffs would come at the expense of its other voter education, voter registration, and election protection efforts, including planned GOTV events, candidate forums, and canvassing.

18. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 4th day of October 2024.



Joyce LeBombard

League of Women Voters of Texas, Inc.